


PTO/SB/22 (8-00)

Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number LEX-0070-USA	
In re Application of Turner et al.			
Application Number 09/691,343		Filed 10/18/2000	
For Novel Human Proteins and Polynucleotides Encoding the Same			
Group Art Unit 1645		Examiner To Be Assigned	
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and appropriate small-entity fee are as follows (check time period desired):</p> <p><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) \$ 55.00</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-0892</u>.</p> <p><input checked="" type="checkbox"/> I have enclosed a duplicate copy of this sheet.</p> <p>I am the <input type="checkbox"/> assignee of record of the entire interest. <input type="checkbox"/> applicant. <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). _____</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>April 27, 2001 Date</p> <p> Signature</p> <p>Lance K. Ishimoto Reg. No. 41,866 Typed or printed name</p>			

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

05/02/2001 BNGUYEN1 00000052 500892 09691343

04 FC:215

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/691,343	10/18/2000	C. Alexander Turner JR.	LEX-0070-USA

24231
LEXICON GENETICS INCORPORATED
4000 RESEARCH FOREST DRIVE
THE WOODLANDS, TX 77381

FORMALITIES LETTER



OC000000005719961

Date Mailed: 01/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$120.
 - \$120 for 3 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 540.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/02/2001 8NGUYEN1 00000052 500892 09691343
01 FC:201 355.00 CH
02 FC:202 120.00 CH
03 FC:205 65.00 CH



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PTO/SB/21 (12-97)
Approval for use through 9/30/00. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/691,343
		Filing Date	Oct 18, 2000
		First Named Inventor	Turner, Jr., C. Alexander
		Group Art Unit	1645
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission	23	Attorney Docket Number	LEX-0070-USA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communications to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	return postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	Executed Declaration and Powers of Attorney
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request of Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	3 sets of executed Dec/POA - 7 pages total
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Lance K. Ishimoto, Reg. No. 41,866 Lexicon Genetics Incorporated
Signature	
Date	April 27, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: April 27, 2001			
Typed or printed name	Michelle Klein		
Signature		Date	April 27, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Turner et al.	
Application No.:	09/691,343	
Filed:	October 18, 2000	Group Art Unit: 1645
Title:	Novel Human Proteins and Polynucleotides Encoding the Same	Examiner: To Be Assigned
Attorney Docket No.	LEX-0070-USA	

REQUEST FOR CORRECTION OF FILING RECEIPT

Attn: Office of Initial Patent Examination's Customer Service Center
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a copy of the Filing Receipt for the above-captioned nonprovisional application, as corrected herein by Applicants. The filing receipt incorrectly lists the spelling of the name of one of the applicants. The inventors were correctly listed on the second and third pages of the Declaration and Power of Attorney as originally filed with the patent application, a copy of which is enclosed. Please correct the inventorship to read as follows:

C. Alexander Turner, Jr., The Woodlands, TX
Gregory Donoho, The Woodlands, TX
Michael C. Nehls, Stockdorf, Germany
Erin Hilbun, Spring, TX
Brian Zambrowicz, The Woodlands, TX
Arthur T. Sands, The Woodlands, TX

The Filing Receipt does not reflect the priority claim correctly which was listed in the first paragraph of the specification and also on the first page of the Declaration and Power of Attorney. A copy of each is enclosed. The continuing data should read:

This application claims benefit of 60/160,106 filed 10/18/1999
and also claims benefit of 60/162,547 filed 10/29/1999

Please make the appropriate corrections and issue a Corrected Filing Receipt.

Applicants believe that no fee is due with this Request for Correction of Filing Receipt because the omission of inventor, omission of priority claim and incorret title reflects a PTO error. However, please charge any required fee to Lexicon Genetics Incorporated Deposit Account No. 50-0892, and please credit any refund to Lexicon Genetics Incorporated Deposit Account No. 50-0892. A copy of this sheet is enclosed.

Respectfully submitted,

4/27/01

Date



Lance K. Ishimoto

Reg. No. 41,866

LEXICON GENETICS INCORPORATED

4000 Research Forest Drive

The Woodlands, TX 77381

Telephone No.: (281) 863-3333

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Turner et al	
Application No.:	09/691,343	
Filed:	October 18, 2000	Group Art Unit: 1645
Title: Novel Human Proteins and Polynucleotides Encoding the Same		Attorney Docket No.:LEX-0070-USA

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED**

Assistant Commissioner for Patents
Washington, D.C. 20231
Attention: Box Missing Parts

Sir:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed by the U.S. Patent and Trademark Office on January 30, 2001 Applicants submit the following documents to complete the filing requirements of the above-identified application:

1. Executed Declaration and Power of Attorney; and
2. Return copy of Notice to File Missing Parts of Application - Filing Date Granted.

Applicants also submit herewith the following document for the above-identified application:

3. Petition for Extension of Time of 1 month
4. Request for Correction of Filing Receipt; and
5. Filing Receipt marked with corrections.

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to Lexicon Genetics Incorporated Deposit Account No. 50-0892:

- | | |
|---|----------|
| 1. Statutory basic filing fee | \$355.00 |
| 2. Surcharge Fee for filing declaration on a date
later than the filing date of the application per
37 CFR 1.492(e) | \$65.00 |
| 3. Additional claim fee for 3 independent claims over 3 | \$120.00 |


TOTAL \$540.00

3. The Commissioner is hereby authorized to charge any additional fees associated with this paper communication or credit any overpayment to Deposit Account No. 50-0892.

The documents submitted herewith complete the filing of the above patent application. This form is being submitted in duplicate.

Respectfully submitted,

4/27/01
Date



Lance K. Ishimoto Reg. No. 41,866

LEXICON GENETICS INCORPORATED
4000 Research Forest Drive
The Woodlands, TX 77381
Telephone No.: (281) 863-3333

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/691,343	10/18/2000	1645	0	LEX-0070- USA		6	6

24231
LEXICON GENETICS INCORPORATED
4000 RESEARCH FOREST DRIVE
THE WOODLANDS, TX 77381

FILING RECEIPT



OC000000005719960

RECEIVED

FEB 09 2001

Per...*dk*.....

Date Mailed: 01/30/2001

POSTED
2/9/01-*dk*

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

C. Alexander Turner JR., The Woodlands, TX ;
Gregory Donoho, The Woodlands, TX ;
Michael C. Nehls, Stockdorf, GERMANY;
Erin Hilbun, Spring, TX ;
Brian Zambrowicz, The Woodlands, TX ;
Arthur T. Smith, The Woodlands, TX ;

Sands

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/160,106 10/18/1999
-WHICH CLAIMS BENEFIT OF 60/162,547 10/29/1999

Cont also

Foreign Applications

If Required, Foreign Filing License Granted 01/30/2001

** SMALL ENTITY **

Title

Novel human proteins and Polynucleotides encoding the same

Preliminary Class

435

Data entry by : BURNS, ERIC

Team : OIPE

Date: 01/30/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

